## BEFORE THE APPEALS BOARD FOR THE KANSAS DIVISION OF WORKERS COMPENSATION

JO ELAINE WILLIS Claimant	)
VS.	) ) ) Docket No. 195,726
BK ENTERPRISES, INC.	) Docket No. 195,726
Respondent AND	)
CNA and BUILDERS ASSOC. SELF INSURANCE FUND Insurance Carriers	) ) )

## ORDER

The respondent and its insurance carrier, CNA, request review of the Preliminary Hearing Order entered in this proceeding by Administrative Law Judge Floyd V. Palmer on July 3, 1995.

## Issues

The Administrative Law Judge granted claimant's request at the preliminary hearing and ordered the respondent and its insurance carrier, CNA, to provide claimant medical care and treatment. Because the Administrative Law Judge found claimant's date of accident to be November 29, 1993, the Judge found CNA responsible for payment. The issues now before the Appeals Board are whether claimant sustained personal injury by accident arising out of and in the course of her employment with the respondent on November 29, 1993, and whether claimant's present need for medical treatment is related to that accidental injury or some other event.

## FINDINGS OF FACT AND CONCLUSIONS OF LAW

For purposes of preliminary hearing, the Appeals Board finds as follows:

(1) The Appeals Board has jurisdiction to review this Order pursuant to K.S.A. 44-534a.

IT IS SO ORDERED

(2) The Order of the Administrative Law Judge should be affirmed. The Appeals Board finds claimant has sustained accidental injury to her left hand that arose out of and in the course of her employment with respondent. The Appeals Board agrees with the Administrative Law Judge that claimant's date of accident is November 29, 1993, the date claimant first saw Dr. Wendt for treatment of pain in her left wrist. This finding is supported by claimant's testimony and the medical evidence introduced. Also, the Appeals Board finds claimant did not sustain additional injury after November 29, 1993, and that claimant's present need for medical treatment is related to the November 1993 injury as she has experienced her present symptoms since that time.

**WHEREFORE**, it is the finding, decision, and order of the Appeals Board that the Order of Administrative Law Judge Floyd V. Palmer entered in this proceeding on July 3, 1995, should be, and hereby is, affirmed.

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Dated this	day of September 1995.	
	BOARD MEMBER	
	BOARD MEMBER	
	ROARD MEMBER	

c: Derek Chappell, Ottawa, KS
D'Ambra Howard, Overland Park, KS
Wade Dorothy, Lenexa, KS
Floyd V. Palmer, Administrative Law Judge
Philip S. Harness, Director